

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Panchayat Raj and Rural Development Department – Allegations of corruption against Sri K.Venkata Ramana, Executive Engineer, PR, Anantapur, Anantapur District – Imposition of penalty of withholding of 25% of Pension and Gratuity, in full, permanently -Orders– Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT(VIG.II)DEPARTMENT

G.O.Ms.No. 41

Dated: 3-2-2011.

Read the following:

1. G.O. Rt. No. 387, PR&RD(Vig.II)Department, Dated:9.3.2005.
2. From Sri K. Venkata Ramana, EE(U/S), PR, Ananthapur, Representation Dated:7.4.2005.
3. Govt.Memo.No.3132/Vig.II/A1/2005-12, PR&RD(Vig.II)Department, Dated: 25-5-2007.
4. Written Statement of Defence of Sri K. Venkata Ramana, E.E., P.R., Ananthapur, Dt:28-6-2007.
5. 5.G.O.Rt.No.1444, Panchayat Raj and Rural Development(Vig.II) Department, Dt:17-10-2007.
6. 6. From the G.A. (COI.CK) Department D.O.Lr.No.1040/ COI. CK/07, Dated:01-11-2008.
7. 7.Govt.Memo.No.3132/Vig.II/A1/2005-15, PR&RD(Vig.II)Department Dated:01-12-2008.
8. Representation Dt:31.12.2008 of Sri K. Venkata Ramana, E.E., P.R., Ananthapur.
9. Govt. Memo.No.3132/Vig.II/A1/2005-16, Dated:26-12-2009.
10. From Sri K. Venkata Ramana, EE (Retd.), PR, Anantapur District, Representation Dated:3.2.2010.
11. Govt.Letter No.3132/Vig.II/A1/2005-17, PR&RD(Vig.II)Department, Dated:3.8.2010.
12. From the Principal Secretary, A.P.P.S.C., Hyderabad, Letter No.1125/RT I/2/2010, Dated:20.9.2010.

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In the reference 1st read above, orders were issued placing Sri K. Venkata Ramana, Executive Engineer, Panchayat Raj, Anantapur under suspension, on the allegation of corruption.

2. Disciplinary action was initiated by framing Article Of Charges against Sri K. Venkata Ramana, Executive Engineer, PR, Ananthapur (now Retired), Ananthapur District vide reference 3rd read above. The Charged Officer, viz., Sri K. Venkata Ramana, Executive Engineer, PR, Ananthapur (now Retired), Ananthapur District, has submitted his Written Statement of Defence vide reference 4th read above.

3. After examination of the matter, orders were issued in the reference 5th read above appointing Smt. Chandana Khan, I.A.S., Commissioner, Commissionerate of Enquiries, as Enquiry Officer, under Rule 20(2) of A.P.C.S.(CC&A)Rules, 1991 to conduct Departmental Enquiry against Sri K. Venkata Ramana, Executive Engineer, PR, Ananthapur (now Retired), Ananthapur District.

4. In the reference 6th read above, the Enquiry Officer has submitted her Enquiry Report. In the reference 7th read above, a copy of Enquiry Report, was communicated to Sri K. Venkata Ramana, Executive Engineer, PR, Ananthapur (now Retired), Ananthapur District; and, he was directed, to submit his representation, if any, on the Enquiry Report, within (15) days.

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5. In the reference 8th read above, the Charged Officer submitted his representation stating the Inquiry Authority was highly prejudiced about the case was clear from the opening sentence of the findings in the Inquiry Report i.e., it is a trap case and the trap result proved positive and if that be the case, there would not have been the need or necessity for the Government to order for an inquiry instead of referring for prosecution; that the Inquiry Officer more inclined to accept the Mediator's report than in assessing the credibility of the prime witnesses whose evidence was clear and perceivable that both complainant and the accompanying witness; that, the Inquiry Officer gave a total skip to the established principles of law which were all pleaded before the Commission by him etc.; and, requested not to accept the Inquiry Officer's Report.

6. Government, after careful examination of the Inquiry Officer's Report along with the representation of the Charged Officer, have provisionally decided to impose "a punishment of withholding of Pension and Gratuity, in full, permanently", on Sri K. Venkataramana, EE, PR, Ananthapur (now Retired), Ananthapur District. A Show Cause Notice has been issued on Sri K. Venkataramana, EE, PR, Ananthapur (now Retired), Ananthapur District, as to why a "penalty of withholding of Pension and Gratuity, in full and permanently", should not be imposed on him, under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 in the reference 9th read above. The Charged Officer has submitted his reply to the Show Cause Notice 9th read in his representation 10th read above.

7. After careful examination of the matter, Government have provisionally decided to impose a penalty of "withholding of Pension and Gratuity, in full and permanently", on Sri K. Venkataramana, Executive Engineer, Panchayat Raj (now Retired), Ananthapur District.

8. In the reference 11th read above, the A.P. Public Service Commission was addressed for concurrence to the above decision of Government. In the reference 12th read above, the A.P. Public Service Commission has stated that, after a thorough examination of the case, Commission have observed that the punishment proposed by the Government is too harsh, considering the fact that the complainants later retracted their earlier statements accusing the Charged Officer of demanding bribe and stating that the trap was laid at the behest of a political party as they wanted to get rid of the Charged Officer, that the complainants also stated subsequently that the Charged Officer never demanded any bribe from them but simply insisted for the Quality Control Certificate; that Commission is also of the opinion that the A.C.B. Report is prejudiced, to hold the Charged Officer as corrupt, without any recorded evidence and even before the trap was laid; and has finally expressed that in the circumstances, Commission is of the view that the Charged Officer deserves benefit of doubt and have, therefore, advised that to review the proposed punishment and reduce it to withholding of 25% of Pension and Gratuity, permanently.

9. After careful examination of the matter, Government have decided and hereby impose a penalty of "withholding of 25% of Pension and Gratuity, permanently", on Sri K. Venkataramana, Executive Engineer, Panchayat Raj (now Retired), Ananthapur District.

10. The Engineer-in-Chief (Panchayat Raj), Hyderabad shall take further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

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DR. RAJIV SHARMA,
PRINCIPAL SECRETARY TO GOVERNMENT(PR).

To

Sri K. Venkata Ramana, Executive Engineer, (Retd.), Panchayat Raj, Ananthapur,
through Engineer-in-Chief, Panchayat Raj, Hyderabad.

The Engineer-in-Chief, Panchayat Raj, Hyderabad. (with a request to serve the copy of
this Order on the Charged Officer and furnish the dated acknowledgement, to the
Govt., immediately).

Copy to:

The Director General, Anti Corruption Bureau, Hyderabad(w.r.t. Rc.No.40/RCT-
ATP/2005/S14, Dated:11.8.2005).

The Secretary, A.P. Vigilance Commission, Hyderabad. (28171/VC.G1/2005).

The Principal Secretary, A.P.Public Service Commission, Hyderabad(w.r.t. Letter
No.1125/RT-I/2/2010, Dated:20.9.2010).

The General Administration(COI.R)Department(D.O.Lr.No.1040/ COI. CK/07, Dated:01-
11-2008).

SF/SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER